

# On Freedom, Some Dolphins and Many Rats

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What follows is an exercise on objective judgments.  
It was conducted in mid-August 2014 among a  
group of undergraduate students attending my  
Aristotelian lessons on good and just things.

Upon a rich exchange of letters on the subject, some of my students intended to make objective judgements on the humaneness –i.e. the intelligence or decency- of the annual dolphin hunt in Taiji, Japan; on the humanness of a diplomatic pronouncement and that of some governmental justifications on the subject. My answer, with which I tried to shed some light on the problem, reads as follows:

Dear fellows,

Among us there is a complete unanimity on the fact that the annual dolphin hunt in Taiji, Japan, is a malicious, savagely fierce practice. And it seems that our natural reason still works reasonably well, since all of us –as well as a vast majority of worldwide citizens - find this bloody practice abhorrent. The aim of this exercise was to proof whether such an agreement of ours is true or not and, consequently, whether our repugnance is correctly justified or not; whether it was intelligent or not for the U.S.

Ambassador to Japan, Ms. Caroline Kennedy, to make public her (both personal and official) opinion on the subject; and whether the Japanese government's is a decent (and thence a respectful) defence or not. The first key step you all did was to find out why the Taiji dolphins hunt dishonours human nature. But opinions differ on this point. Some of you tried to find the shamefulness of the Taiji hunt in the peculiarities of its object, i.e. the dolphins-. Others attributed its inhumaneness to the goals of dolphin hunt: consumption and captivity. Rather, it seems to me that the Taiji dolphin hunt is malicious or inhumane in as much as it results from a ferocious exercise of freedom. Let me explain this.

It is said that in 1284 there was in Hameln, a town in northern Germany, a great plague of rats and mice. In order to get rid of the pest, the town hired a piper who enticed them away with his music into the Weser River, where they drowned.



This is Augustin von Moersperg's picture of the Pied Piper, copied from the glass window of the Market Church in Hameln.  
[http://commons.wikimedia.org/wiki/File:Pied\\_piper.jpg](http://commons.wikimedia.org/wiki/File:Pied_piper.jpg)

I bet you are asking yourself what has the drowning of the rats and mice of Hameln to do with the dolphins massacre in Taiji. Thinking, perhaps, that a

dolphin is a more valuable animal, qua animal, than a rat or a mouse, and thence that it is always and intrinsically less wrong to kill or keep in captivity a rat or a mouse than a dolphin. Such a thought, I suppose, is explained by the fact that the elimination of a plague of rats gives not rise to any ethical concern. It is so because rats and mice are a pest, something that threatens or harms. Rats and mice carry and transmit disease and harmful parasites, and compete for food with us. Since they *are, in fact*, pests for humans, to eliminate them is not an option but a *must* in order to preserve us.

Dolphins can also become a pest – and I am not saying that this is the case-. As humans (and crocodiles, for instance), their main competitors, dolphins are apex predators – that is, they do not have a natural predator to proportion their populations. If dolphins' populations grow exaggeratedly –, we, humans, must eliminate the exceeding. To avoid pests is peculiar to human nature. And, qua pests, it is equally right to kill a mouse or a rat than a dolphin.

It is also peculiar to human nature to feed us, and to feed well and pleasantly. (That is why it is “ideal” that everybody fed well and pleasantly.) Humans, as any other living species, feed us on what we can and have. So I think no ethical concerns have to arise from the killing of a dolphin –or that of any other organism- for food, nor from partaking in the supply chain of dolphin meat (provided it is safe for human consumption). It would seem, then, that both killing the rats in the bakery in order to get rid of them, and

killing dolphins for food or to avoid or fight overpopulation are not bad but rather equally good choices.

And, above all, it is peculiar to our nature the need to investigate, to learn, to know and to acknowledge our own existence in whatever one perceives other than oneself. Since humans are intellect but also emotions, the closer the contact with the thing one intends to apprehend –that is, the more senses one has focused upon the perception of that thing-, the more complete the knowledge. To a great extent, this depends on the material proximity of the thing –the degree of marvel or admiration, those emotions moved by the things one learns and have learnt, discovered, is also dependent on that proximity.

I have made this detour for to justify this political incorrectness: given that most existing animals are, for any reason, out of the direct reach of people's senses, it seems to me that aquariums, zoos, and animal circuses are indispensable for us to get a better knowledge of them. I wish one could also visit something like micro-bio displays –like zoos for organisms that are not visible for the human eye- where one could go and look at them face-to-face through, e.g. electronic microscopes. So far, and having made it possible, where else, other than in a dolphinarium, can we have first hand experience of the special character of dolphins? So far, and having made it possible, what is wrong with marvelling oneself with the majesty of a Brazilian banana spider resting in her terrarium, that of a Box

jellyfish dancing in her aquarium, or that of the mice serving science captive in research laboratories?

Curiosity drives, of course, scientific knowledge, but also love, true affection to the things we happen to know. It goes without saying that such love implies a sense of (somehow) mutual belonging that moves us to take care of those things. Since I can remember I have been especially fond of elephants. I cannot exactly say when did I know one for the first time – it should have been well before use of reason on TV (Tantor or Dumbo, I guess) or on my dad's National Geographic magazines. But I can certainly say the excitement I felt when I saw a real elephant for the first time, when I could smell it and interact with it – I got my Cheetos stolen by a real elephant's trunk: it was in my hometown's zoo. And I can also certainly say when I saw real elephants showing abilities that would have remained unknown had they not been discovered by elephant take-carers: it was under the tents of Ringling Bros. and Barnum & Bailey's. I have not experienced elephants in their habitats yet. But it fills me with dismay to fear that I won't get if I don't hurry up or if Chinese and alike predators do not bound their idiotic voracity.

It would seem, then, that capturing, say, Bosavi woolly rats or bottlenose dolphins in order to show their splendour to humans in, respectively, a zoo rodent section or in a dolphinarium, are not bad but equally good options.

Knowledge, you know, as much as feeding or pest avoidance and control, are biological functions that

we, humans, execute by competing for resources with the rest of living species. But, in contrast with them, we are aware of that competence; and, thanks to this awareness, we *choose* how do we intervene or operate in it. We choose, for instance, how do we get rid of rats, mice and dolphins when they become pests; how do we hunt the dolphins (or the rats and mice) for food; and how do we treat animals and other living things that we have in captivity: we choose the quality of life and well being we provide them with.



I think that our freedom to choose how do we operate as parts of the ecosystem, such relative advantage that we have in respect of other species and that

allows us to take advantage of them, imposes upon us the correlative obligation of treating them in accordance to the respectfulness (or reverence) that inspire or should inspire us the mere perception of their existence, of their nature (I am probably paraphrasing Aristotle here). This obligation measures or disposes or should measure or dispose the exercise of freedom. Since it is a moderation debt, the rationality or intelligence or goodness of the choice and its consequent operation will depend upon the moderation or *mediocritas* of that choice and operation. The most “human” option and operation will be the most moderate, the nearest to τὸ μέσον: the best or one of the best among other equally feasible choices.

Let’s imagine that for getting rid of the rats and mice the Pied Piper had these three options that I will suppose, for the purposes of this example, equally feasible and efficient. One was to drown them in the Weser, which runs by Hameln. The second was to bring them to the neighbour town of Coppenbrügge. And the third was to bring rats and mice to a church or barn, lock them in and incinerate them alive setting the place in fire –as German SS did to the women and children from [Oradour-sur-Glane](#), France, in June 1944.

Among the three options, the piper freely chose the first one. Perhaps because his reason showed it to him –as it probably shows it to you and me- as the best or least bad. It was the least painful for rats and mice, and also the least harmful for human neighbours. (For this purpose let’s suppose that

loosing their church or barn was as harmful for the people of Hameln, as it was the plague of rats and mice for the people of Coppenbrügge).

The piper chose the least costly option. Perhaps and almost certainly because, as it happens to you and I, he abhorred much more to incinerate live animals than to harm the neighbours' well being, and much more to harm the neighbours' well being than to drown rats and mice in the Weser waters.

"Naturally", one would say – it seems that the piper acted "humanely", not like a "rat". (Had it been otherwise I don't think the Grimm brothers would have written this legend for children to read.) I will explain now why do I think the piper acted "humanely". Maybe this will also explain why the Taiji dolphins hunt is, objectively speaking, an atrocity.

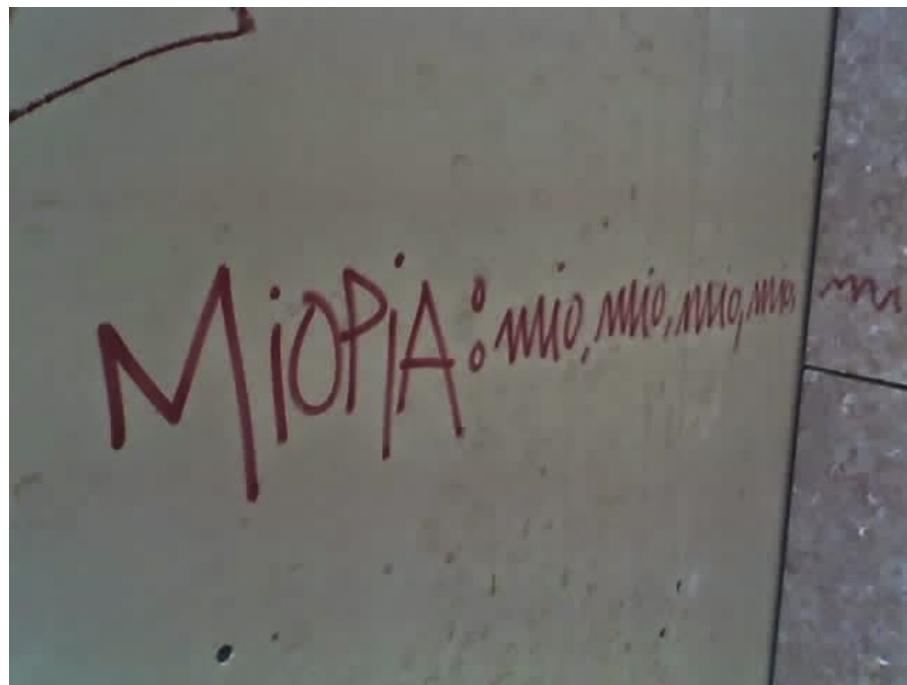
It seems normal and reasonable that painful things such as harm, distress, and suffering, cause us revulsion and fear. It also seems normal and reasonable that, since they cause us revulsion and fear, since they hurt, we naturally (i.e. consequently) avoid them and fight to escape from them. And it seems normal and reasonable that we don't get hurt exclusively (idiotically) by our own harm, distress, and suffering, but rather, since we are aware of the things we have noticed, that we *sympathize*, that we *feel with*, that we represent the pain of those things that feel or can feel pain, and that we get hurt by the damage or destruction of things that do not or cannot feel.

That's why we perceive as "horrible" and painful things the Zairian epidemic of the Ebola virus; the extinction that threatens the baobabs or the capybara; the (mostly Chinese – here they go again! - ) extermination of coral ecosystems; the destruction of the ancient Library of Alexandria, and the disappearance of the limestone karts of Southern Thailand. We say that it is "natural" to have these feelings (or that feeling so is correct), because what is peculiar to humans is compassion or sympathy (or the capacity to feel with).

The contrary of compassion: fierceness or bestiality is proper to animals that cannot be aware of others' pain, and that, unlike humans, cannot cause it unnecessarily. When a lioness, for example, hunts an antelope, or a lammergeyer a hare, both of them operate "without compassion", "with no consideration", because to each of them the antelope or the hare do not "mean" anything else than something to be eaten right then and there. That may be the reason why they cause and can only cause the antelope and the hare no more, no less harm than that needed to make them eatable. We, humans, do (that's why we have invented such things like laws and customs of war), but that does not seem to very human.

It's not human either that while having, as the Pied Piper of Hamelin, other options, Taiji dolphins hunters operate without compassion and with the cruelty of someone that do not know how to act like

humans should or in accordance to what we,  
humans, are.



Myopia: mine, mine, mine, mine, mine

Since civilizations is (or shall be) the adequacy (or refinement) of our praxis to the advance (or refinement) of our knowledge, what I have said here so far may proof –or at least indicate- that Taiji dolphins massacre is, in effect, an savagery, a barbarity. And maybe upon this evidence one can affirm, with a reasonable degree of certainty, that denying it –although then and there that be the common opinion- is a mistake. And the persisting in it, avoidable as it is, is proper of mad or bad people.

That is why it seems normal and reasonable that any particular citizen has not only the possibility but also the duty to denounce this savagery and work to bring it to its end. After all, to judge and express our opinions on those things that affect or can affect us all is manifestation of our civil or political nature. We're unanimous on this point. There is a divergence, though, on the opportunity of US Ambassador Kennedy's pronouncement.

The image shows a tweet from Caroline Kennedy (@CarolineKennedy) on Twitter. The tweet content is: "Deeply concerned by inhumaneness of drive hunt dolphin killing. USG opposes drive hunt fisheries." The tweet has received 3,005 retweets and 1,511 favorites. The timestamp on the tweet is 11:57 PM - 17 Jan 2014.

To answer this question one just has to determine whether the Taiji massacre is or not one of those “internal” or “privative” State affairs that do not allow critics or comments from diplomatic or consular agents accredited to that respective State. I bet this does not offer any difficulty. Given its shameful character and environmentally risky foreseeable effects, it seems that the Taiji dolphins hunt is not an internal, private affair of the

Japanese State, but a global *common* (not just public) concern that not only exempted Ms. Kennedy from diplomatic discretion, but obliged her (and you and me) to say her own – as she did (and we are doing through this exercise)-. I'll explain this.

When rats and mice had drowned, the people from Hameln refused to pay the Pied Piper for his services. No one in Hameln said a word. No one objected. There was not one weak or vigorous protest. It was like if everybody had approved and thus appropriated the scorn poured by Hamelners on the Piper.

The Piper left on anger to ruminate on his revenge. One church day he came back to Hameln. He started to play the flute through desert streets and soon he had running and dancing after him every child in town. And, same as rats and mice did before, the children, enchanted by the music, followed the Piper into a mountain where he disappeared forever with all of them. Well, almost all of them. Two came back. One was blind, so he had no idea what mountain were they brought to; the other was deaf, so he couldn't say nothing. Hameln children got lost, forever, because no one said a word. These losses were avoidable.

It was like a premonition of a piece written by German poet Bertolt Brecht, from what pastor Martin Neimöller once said about those German citizens that had impassively bore the atrocities of the Third Reich in the 20th century:

First they came for the socialists, and I did not speak out because I was not a socialist.

Then they came for the trade unionists, and I did not speak out because I was not a trade unionist.

Then they came for the Jews, and I did not speak out because I was not a Jew.

Then they came for me, and there was no one left to speak for me.

Times change, and humans manage to capitalize life lessons. In face of the increasing pressure of the (almost) global repudiation of Taiji dolphins hunt, on occasion of Ms. Kennedy's tweet the Japanese government tried to draw the bull away with a cock-and-bull rather macabre justification made up of these rather naïve arguments.

The first one is that Taiji hunt is ok because dolphins are commodities profited by Japanese industry. All right: industry is a natural propensity that we, humans, realize by using resources, including dolphins. No objection. Provided, however, that we use those resources "rationally", that is, we due admiration and respect, with moderation. (If you change "use" by "trade with" you could guess a refutation of a rotten theory called "social Darwinism.")

The second argument is that the Taiji dolphins hunt is ok because it is a customary there since the 17<sup>th</sup> century. So what? Look. Non-paying the piper, however customary non-paying could have been in 13<sup>th</sup> century Hameln, was (and is an injustice and thence) a(n objectively) bad thing: it breaks social

harmony and disturbs peace, which is the first condition for human well being. However customary, incinerating living animals and / or voluntarily spreading plagues among neighbours are bad things. The recurrence of a practice doesn't purge stupidity from such a practice. And the practice will still be so even when it is not reprobated, prosecuted, and punished. For this reason, the fact that the International Whale Commission, to which Japan is part, does not cover dolphins does and cannot amount to a license to treat dolphins with ferocity; nor to hunt them at risk of altering their normal populations; nor to capture them by causing unnecessary stress; nor to aggravate with misery their captivity.

The third argument is that the Taiji dolphins hunt is ok because it is covered by Japanese fisheries policies and legislation. Well, policies and legislations are products of human inventiveness and, as such, are fallible: they can be in error. Since Japanese seem to be so meticulous caretakers of appearances and formalities, it is not very likely that Japanese law approves or authorizes explicitly the way dolphins are killed and captured in Taiji. It does so tacitly, instead, not prohibiting the hunt expressly. So the Japanese government does not lie when arguing for the lawfulness of the hunt. What is, in fact, worrying and offensive, is the Japanese government's shamelessness about such a legislative barbarity. It does not seem intelligent to abide norms that instruct a non-intelligent operation.

The people from Hameln agreed not to pay the piper; but their free agreement, which was the norm of their non-payment, did not purge injustice from non-payment. The piper decided to disappear the children in revenge; but his free decision, which was the norm of his design, did not purge inhumaneness from the children's abduction and disappearance.

German citizen Mr [Werner Christukat](#) was a 19 years old machine-gunner with the SS company that, the mechanized Attila that devastated Oradour-sur-Glane in 1944. Were you one of the judges of the Cologne court that must decide whether to put him on trial or not, and regardless of Mr Christukat's actual age and time lapsed since the occurrence of the facts, would you agree to free him from all blame and responsibility because his participation in the Oradour massacre was legal? After all, the racial laws of Nurnberg, that miserable legislative navigation chart of the *Endlösung der Judenfrage*, brought Mr Christukat there. (I guess I'd have to free Mr Christukat on the grounds of force majeure. I found out about Mr Christukat on [Der Spiegel](#) 20.03.14.)

Finally, it seems to me that thanks to the vile sophism according to which things are not what they are but what we want (or would want) them to be, these children died – as dolphins do in Taiji – from an atrocious exercise of freedom. Well, I don't know what do you think about it.



On June 10, 1944, these kids were burnt alive in the church of Oradour-sur-Glane by soldiers of the 3<sup>rd</sup> company of the first battalion of the SS mechanized infantry division "Der Führer". Images from USHMM archive:  
<http://www.ushmm.org/wlc/en/gallery.php?ModuleId=10007840&MediaType=PH>

Now a break to rejoice a bit with this curiosity. It's one of Aristotle's annotations on dolphins, from his History of Animals (631a9-b3). More than 2,000 years ago he noticed:

Among the sea-fishes many stories are told about the dolphin, indicative of his gentle and kindly nature, and of manifestations of passionate attachment to boys, in and about Tarentum, Caria, and other places. The story goes that, after a dolphin had been caught and wounded off the coast of Caria, a shoal of dolphins came into the harbour and stopped there until the fisherman let his captive go free; whereupon the shoal departed. A shoal of young dolphins is always, by way of protection, followed by a large one. On one occasion as shoal of dolphins, large and small, was seen, and certain of them, going at a little distance away, appeared in swimming in underneath a little dead dolphin when it was sinking, and supporting it on their backs, trying out of compassion to prevent its being devoured by some other creature. It appears to be the fleetest of all animals, marine and terrestrial, and it can leap over the masts of large vessels. This is chiefly manifested when they are pursuing a fish for food; then, if the fish endeavours to escape, they pursue him in their hunger down to deep waters; but, when the return swim is getting too long, they hold in their breath, as though calculating the length of it, and then draw themselves together and shoot up like arrows, trying to make the long ascent rapidly in the vicinity. This same phenomenon is observed in divers, when they have plunged into deep water; that is, they pull themselves together and rise with a speed proportional to their strength. Dolphins live together in pairs male and female. It is not known for what reason they run themselves aground on dry land; at all events, it is said that they do so at times, and for no reason. [A.W. Thompson. Rev. Oxford Translation.]

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